

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AMERICAN AUTOMOBILE
ASSOCIATION OF NORTHERN
CALIFORNIA, NEVADA & UTAH, et al.,

Plaintiffs,

v.

GENERAL MOTORS LLC, et al.,

Defendants.

Case No. 17-CV-03874-LHK

**ORDER GRANTING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

Re: Dkt. No. 92

On February 28, 2019, the Court denied without prejudice the parties' three motions to seal. ECF No. 86. Before the Court is a joint administrative motion to file confidential information under seal filed by Plaintiffs American Automobile Association of Northern California, Nevada & Utah and its affiliate A3 Mobility LLC ("Plaintiffs" or "AAA") and Defendants General Motors LLC and its affiliate Maven Drive LLC's ("Defendants" or "GM") on March 8, 2019. ECF No. 92 ("Mot."). For the following reasons, the Court GRANTS the instant motion to seal.

"Historically, courts have recognized a 'general right to inspect and copy public records and documents, including judicial records and documents.'" *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435

U.S. 589, 597 & n.7 (1978)). Accordingly, when considering a sealing request, “a strong presumption in favor of access is the starting point.” *Id.* (internal quotation marks omitted).

Parties seeking to seal judicial records relating to motions that are “more than tangentially related to the underlying cause of action,” *Ctr. for Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1099 (9th Cir. 2016), bear the burden of overcoming the presumption with “compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure,” *Kamakana*, 447 F.3d at 1178–79 (internal quotation marks and citation omitted). Compelling reasons justifying the sealing of court records generally exist “when such ‘court files might have become a vehicle for improper purposes,’ such as the use of records to gratify private spite, promote public scandal, circulate libelous statements, or release trade secrets.” *Id.* at 1179 (quoting *Nixon*, 435 U.S. at 598). However, “[t]he mere fact that the production of records may lead to a litigant’s embarrassment, incrimination, or exposure to further litigation will not, without more, compel the court to seal its records.” *Id.*

Records attached to motions that are “not related, or only tangentially related, to the merits of a case” are not subject to the strong presumption of access. *Ctr. for Auto Safety*, 809 F.3d at 1099; *see also Kamakana*, 447 F.3d at 1179 (“[T]he public has less of a need for access to court records attached only to non-dispositive motions because those documents are often unrelated, or only tangentially related, to the underlying cause of action.” (internal quotation marks and citation omitted)). Parties moving to seal records attached to motions unrelated or only tangentially related to the merits of a case must meet the lower “good cause” standard of Rule 26(c) of the Federal Rules of Civil Procedure. *Ctr. for Auto Safety*, 809 F.3d at 1098–99; *Kamakana*, 447 F.3d at 1179–80. The “good cause” standard requires a “particularized showing” that “specific prejudice or harm will result” if the information is disclosed. *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206, 1210–11 (9th Cir. 2002) (citation omitted); *see Fed. R. Civ. P. 26(c)*. “Broad allegations of harm, unsubstantiated by specific examples or articulated reasoning” will not suffice. *Beckman Indus., Inc. v. Int’l Ins. Co.*, 966 F.2d 470, 476 (9th Cir. 1992) (citation omitted).

Pursuant to Rule 26(c), a trial court has broad discretion to permit sealing of court documents for, inter alia, the protection of “a trade secret or other confidential research, development, or commercial information.” Fed. R. Civ. P. 26(c)(1)(G). The Ninth Circuit has adopted the definition of “trade secrets” set forth in the Restatement of Torts, holding that “[a] trade secret may consist of any formula, pattern, device or compilation of information which is used in one’s business, and which gives him an opportunity to obtain an advantage over competitors who do not know or use it.” *Clark v. Bunker*, 453 F.2d 1006, 1009 (9th Cir. 1972) (quoting Restatement (First) of Torts § 757 cmt. b). “Generally [a trade secret] relates to the production of goods It may, however, relate to the sale of goods or to other operations in the business” *Id.* (alterations in original). Furthermore, the United States Supreme Court has recognized that sealing may be justified to prevent judicial documents from being used “as sources of business information that might harm a litigant’s competitive standing.” *Nixon*, 435 U.S. at 598.

In addition, parties moving to seal documents must comply with the procedures established by Civil Local Rule 79-5. Pursuant to that rule, a sealing order is appropriate only upon a request that establishes the document is “sealable,” or “privileged, protectable as a trade secret or otherwise entitled to protection under the law.” Civ. L. R. 79-5(b). “The request must be narrowly tailored to seek sealing only of sealable material, and must conform with Civil [Local Rule] 79-5(d).” *Id.* Civil Local Rule 79-5(d), moreover, requires the submitting party to attach a “proposed order that is narrowly tailored to seal only the sealable material” and that “lists in table format each document or portion thereof that is sought to be sealed,” as well as an “unredacted version of the document” that “indicate[s], by highlighting or other clear method, the portions of the document that have been omitted from the redacted version.” Civ. L. R. 79-5(d)(1). Where the moving party seeks to file under seal a document containing information designated confidential by the opposing party, “[w]ithin 4 days of the filing of the Administrative Motion to File Under Seal, the [opposing party] must file a declaration as required by subsection 79-5(d)(1)(A) establishing that all of the designated material is sealable.” Civ. L. R. 79-5(e)(1).

The initial question before the Court is whether the instant motions to seal are subject to

the good cause or compelling reasons standard. The instant motions to seal are associated with GM’s motion for summary judgment. A motion for summary judgment is by definition a dispositive motion. Thus, it relates to the merits of the cause of action. Other courts considering sealing requests for motions for summary judgment have applied the “compelling reasons” standard for sealing. *See, e.g., Fed. Deposit Ins. Corp. v. Bayone Real Estate Inv. Corp.*, 2017 WL 1398311, at *2 (N.D. Cal. Apr. 19, 2017) (applying the “compelling reasons” standard to sealing relating to a motion for summary judgment); *Perfect 10, Inc. v. Giganews, Inc.*, 2014 WL 12586248, at *2 (C.D. Cal. Oct. 3, 2014) (same). Consequently, the Court will apply the “compelling reasons” standard to the parties’ sealing requests.

The Court now turns to the substance of the instant joint sealing motion. Specifically, the information the parties seek to seal generally falls into the following categories: (1) contracts between either AAA or GM and third parties, and information provided by third parties; (ii) financial information or information regarding the projected profitability of the parties’ businesses; (iii) personally identifiable information of third-party individuals, including names, addresses, phone numbers, and email addresses; and (iv) information regarding the parties’ prospective business plans, dealings and strategies. *See Mot.* The Court agrees that compelling reasons exist to seal this information. *See, e.g., FTC v. Qualcomm Inc.*, No. 17-CV-220-LHK, 2019 WL 95922, at *3 (N.D. Cal. Jan. 3, 2019) (granting motion to seal under the compelling to the extent it may harm the party or third parties’ “competitive standing and divulges terms of confidential contracts, contract negotiations, or trade secrets.”); *Krieger v. Atheros Commc’ns, Inc.*, No. 11-CV-640-LHK, 2011 WL 2550831, at *1 (N.D. Cal. Jun. 25, 2011) (finding information regarding party’s “long-term financial projections, discussions of business strategy, and competitive analyses” sealable under the compelling reasons standard); *Nursing Home Pension Fund v. Oracle Corp.*, No. C01-00988 MJJ, 2007 WL 3232267, at *2 (N.D. Cal. Nov. 1, 2007) (“The Ninth Circuit has found that compelling reasons exist to keep personal information confidential to protect an individual’s privacy interest and to prevent exposure to harm or identity theft.” (citing *Foltz v. State Farm. Mut. Auto Ins. Co.*, 331 F.3d 1122, 1134 (9th Cir. 2003)));

Benedict v. Hewlett-Packard Co., No. 13-CV-00119-LHK, 22014 WL 233827, at *3 (N.D. Cal. Jan. 21, 2014) (granting motion to seal confidential customer information, including address, phone number, and email address); *Transperfect Global, Inc. v. Motionpoint Corp.*, No. C 10-2590 CW, 2013 WL 209678, at *1 (N.D. Cal. Jan. 17, 2013) (granting motion to seal exhibits that contained proprietary information about the sealing party's internal business operations). Furthermore, the parties' request is narrowly tailored because the requested sealing include only those categories of information.

Additionally, the parties filed with the instant renewed motion to seal only unredacted, non-public copies of the exhibits and briefs. The parties still need to publicly file redacted versions of the exhibits and briefs on the docket. The parties shall have until March 19, 2019 to publicly file redacted versions of these documents consistent with the Court's sealing rulings.

Accordingly, with the Ninth Circuit's sealing case law in mind, the Court rules on the instant motion as follows:

<u>Document</u>	<u>Page/Line</u>	<u>Court's Ruling</u>
GM's Opening Brief	Highlighted financial information at 1:08	GRANTED.
GM's Opening Brief	Highlighted financial information at 6:06	GRANTED.
GM's Opening Brief	Highlighted financial information at 8:12	GRANTED.
GM's Opening Brief	Highlighted financial information at 8:13	GRANTED.
GM's Opening Brief	Highlighted financial information at 9:07	GRANTED.
GM's Opening Brief	Highlighted financial information at 9:08–11	GRANTED.
GM's Opening Brief	Highlighted financial information at 10:06	GRANTED.
GM's Opening Brief	Highlighted financial information at 16:02	GRANTED.

1	GM's Opening Brief	Highlighted financial information at 17:08	GRANTED.
2	GM's Opening Brief	Highlighted financial information at 20:04	GRANTED.
3	GM's Opening Brief	Highlighted financial information at 21:26 (Footnote 105)	GRANTED.
4	GM's Opening Brief	Highlighted financial information at 21:27–28 (Footnote 105)	GRANTED.
5	GM's Opening Brief	Highlighted financial information at 22:16	GRANTED.
6	Declaration of Rachel Bhattacharya in Support of Defendants' Motion for Summary Judgment	Declaration of Rachel Bhattacharya in Support of Defendants' Motion for Summary Judgment, highlighted financial information at ¶ 34	GRANTED.
7	GM Exhibit 1, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 49:18	GRANTED.
8	GM Exhibit 1, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 49:20	GRANTED.
9	GM Exhibit 1, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 49:22	GRANTED.
10	GM Exhibit 1, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 50:13	GRANTED.
11	GM Exhibit 1, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 50:19	GRANTED.
12	GM Exhibit 1, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 72:23–24	GRANTED.
13	GM Exhibit 14, GM-produced document	Highlighted customer information at GM000018379	GRANTED.
14	GM Exhibit 14, GM-produced document	Highlighted customer information at GM000018394	GRANTED.

1	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055933	GRANTED.
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3	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055934	GRANTED.
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5	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055935	GRANTED.
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7	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055936	GRANTED.
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9	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055937	GRANTED.
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11	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055938	GRANTED.
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13	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055939	GRANTED.
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15	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055940	GRANTED.
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17	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055941	GRANTED.
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19	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055942	GRANTED.
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21	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055943	GRANTED.
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23	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055944	GRANTED.
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25	GM Exhibit 15, GM-produced document	Highlighted customer information at GM000055945	GRANTED.
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1	GM Exhibit 16, GM-produced document	Highlighted customer information at GM000056370	GRANTED.
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3	GM Exhibit 17, GM-produced document	Highlighted customer information at GM000056503	GRANTED.
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5	GM Exhibit 17, GM-produced document	Highlighted customer information at GM000056504	GRANTED.
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7	GM Exhibit 18, GM-produced document	Highlighted customer information at GM000000002.0001	GRANTED.
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9	GM Exhibit 18, GM-produced document	Highlighted customer information at GM000000002.0002	GRANTED.
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11	GM Exhibit 18, GM-produced document	Highlighted customer information at GM000000002.0003	GRANTED.
12			
13	GM Exhibit 18, GM-produced document	Highlighted customer information at GM000000002.0004	GRANTED.
14			
15	GM Exhibit 18, GM-produced document	Highlighted customer information at GM000000002.0005	GRANTED.
16			
17	GM Exhibit 18, GM-produced document	Highlighted customer information at GM000000002.0006	GRANTED.
18			
19	GM Exhibit 20, GM-produced document	Highlighted financial information at GM00062459	GRANTED.
20			
21	GM Exhibit 21, GM-produced document	Highlighted customer information at GM000056444	GRANTED.
22			
23	GM Exhibit 21, GM-produced document	Highlighted customer information at GM000056445	GRANTED.
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25	GM Exhibit 22, GM-produced document	Highlighted customer information at GM000056389	GRANTED.
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GM Exhibit 22, GM-produced document	Highlighted customer information at GM000056390	GRANTED.
GM Exhibit 22, GM-produced document	Highlighted customer information at GM000056391	GRANTED.
GM Exhibit 23, GM-produced document	Highlighted customer information at GM000056401	GRANTED.
GM Exhibit 23, GM-produced document	Highlighted customer information at GM000056402	GRANTED.
GM Exhibit 23, GM-produced document	Highlighted customer information at GM000056403	GRANTED.
GM Exhibit 23, GM-produced document	GM Exhibit 23, GM-produced document, highlighted customer information at GM000056404	GRANTED.
GM Exhibit 23, GM-produced document	Highlighted customer information at GM000056405	GRANTED.
GM Exhibit 23, GM-produced document	Highlighted customer information at GM000056406	GRANTED.
GM Exhibit 24, GM-produced document	Highlighted customer information at GM000056608	GRANTED.
GM Exhibit 25, GM-produced document	Highlighted customer information at GM000056392	GRANTED.
GM Exhibit 26, GM-produced document	Highlighted customer information at GM000056415	GRANTED.
GM Exhibit 26, GM-produced document	Highlighted customer information at GM000056416	GRANTED.
GM Exhibit 26, GM-produced document	Highlighted customer information at GM000056417	GRANTED.

1	GM Exhibit 26, GM-produced document	Highlighted customer information at GM000056418	GRANTED.
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3	GM Exhibit 27, GM-produced document	Highlighted customer information at GM000056393	GRANTED.
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5	GM Exhibit 27, GM-produced document	Highlighted customer information at GM000056394	GRANTED.
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7	GM Exhibit 28, GM-produced document	Highlighted customer information at GM000056400	GRANTED.
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9	GM Exhibit 29, GM-produced document	Highlighted customer information at GM000056506	GRANTED.
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11	GM Exhibit 35, GM-produced document	Highlighted customer information at GM000057513.0001	GRANTED.
12			
13	GM Exhibit 35, GM-produced document	Highlighted customer information at GM000057513.0002	GRANTED.
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15	GM Exhibit 35, GM-produced document	Highlighted customer information at GM000057513.0003	GRANTED.
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17	GM Exhibit 35, GM-produced document	Highlighted customer information at GM000057513.0004	GRANTED.
18			
19	GM Exhibit 35, GM-produced document	Highlighted customer information at GM000057513.0006	GRANTED.
20			
21	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 14	GRANTED.
22			
23	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted text at ¶ 31	GRANTED.
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25	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted text at ¶ 33	GRANTED.
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27	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted text at ¶ 38	GRANTED.

1	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 43	GRANTED.
2	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 54	GRANTED.
3	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 59	GRANTED.
4	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 64	GRANTED.
5	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 65	GRANTED.
6	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 68	GRANTED.
7	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 69	GRANTED.
8	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 70	GRANTED.
9	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 73	GRANTED.
10	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 84	GRANTED.
11	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 85	GRANTED.
12	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 86	GRANTED.
13	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 87	GRANTED.
14	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 90	GRANTED.
15	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 91	GRANTED.
16	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 92	GRANTED.
17	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 93	GRANTED.

1	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 94	GRANTED.
2	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 95	GRANTED.
3	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at ¶ 96	GRANTED.
4	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted text at Footnote 56	GRANTED.
5	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted text at Footnote 61	GRANTED.
6	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at Footnote 137	GRANTED.
7	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information at Footnote 174	GRANTED.
8	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Table 1 at p. 24	GRANTED.
9	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Table 2 at p. 25	GRANTED.
10	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Table 3 at p. 33	GRANTED.
11	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Table 4 at p. 36	GRANTED.
12	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Table 5 at p. 37	GRANTED.
13	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Table 6 at p. 38	GRANTED.
14	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Figure 2 at p. 27	GRANTED.
15	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Figure 3 at p. 28	GRANTED.

1	GM Exhibit 44, Expert Report of Carrie Distler	Highlighted financial information shown in Schedule 1.0	GRANTED.
2			
3	Exhibit 45, AAANCNU000061295	Entire document	GRANTED.
4			
5	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 78:8-9	GRANTED.
6			
7	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 78:23-24	GRANTED.
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9	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 79:24	GRANTED.
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11	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:2	GRANTED.
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13	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:4	GRANTED.
14			
15	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:6	GRANTED.
16			
17	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:9	GRANTED.
18			
19	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:18	GRANTED.
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21	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 81:5	GRANTED.
22			
23	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 81:8	GRANTED.
24			
25	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 81:12	GRANTED.
26			
27	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:2	GRANTED.
28			
	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:9	GRANTED.
	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:12	GRANTED.
	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:14	GRANTED.

1	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:22-23	GRANTED.
2	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 83:10	GRANTED.
3	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 83:19	GRANTED.
4	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 84:8	GRANTED.
5	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 84:15	GRANTED.
6	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 84:20	GRANTED.
7	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 85:8	GRANTED.
8	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 96:5	GRANTED.
9	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 171:3	GRANTED.
10	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 171:10	GRANTED.
11	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 171:20-22	GRANTED.
12	Exhibit 47, Transcript of the Deposition of Michael Hetke	Highlighted text at 173:20	GRANTED.
13	Exhibit 52, AAANCNU000114587	Entire document	GRANTED.
14	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at ¶ 9	GRANTED.
15	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted text at ¶ 14	GRANTED.
16	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at ¶ 26	GRANTED.
17	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at ¶ 27	GRANTED.

1	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at ¶ 29	GRANTED.
2	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at ¶ 31	GRANTED.
3	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at ¶ 32	GRANTED.
4	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at ¶ 39	GRANTED.
5	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information at Footnote 56	GRANTED.
6	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information shown in Tab 3	GRANTED.
7	GM Exhibit 54, Expert Report of Scott Phillips	Highlighted financial information shown in Tab 4	GRANTED.
8	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 119:01	GRANTED.
9	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 119:03	GRANTED.
10	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 119:06	GRANTED.
11	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 119:07	GRANTED.
12	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 119:09	GRANTED.
13	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 119:12	GRANTED.
14	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 119:13	GRANTED.
15	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 123:01	GRANTED.
16	GM Exhibit 58, Transcript of the Deposition of Carrie Distler	Highlighted financial information at 123:03	GRANTED.
17	AAA's Opposition	Highlighted text at 2:10–12	GRANTED.
18	AAA's Opposition	Highlighted revenue amount at 12:07	GRANTED.

1	AAA's Opposition	Highlighted revenue amount at 13:23	GRANTED.
2	Declaration of Jason Haight in Support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment	Highlighted text at ¶ 10	GRANTED.
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5	Declaration of Jason Haight in Support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment	Highlighted text at ¶ 12	GRANTED.
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8	Declaration of Jason Haight in Support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment	Highlighted text at ¶ 13	GRANTED.
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10	Declaration of Jason Haight in Support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment	Highlighted text at ¶ 30	GRANTED.
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12			
13	Declaration of Jason Haight in Support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment	Highlighted text at ¶ 34	GRANTED.
14			
15	Declaration of Jason Haight in Support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment	Highlighted text at ¶ 56	GRANTED.
16			
17			
18	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 78:8-9	GRANTED.
19	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 78:23-24	GRANTED.
20			
21	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 79:24	GRANTED.
22			
23	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:2	GRANTED.
24	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:4	GRANTED.
25	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:6	GRANTED.
26			
27	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:9	GRANTED.
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1	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 80:18	GRANTED.
2	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 81:5	GRANTED.
3	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 81:8	GRANTED.
4	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 81:12	GRANTED.
5	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:2	GRANTED.
6	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:9	GRANTED.
7	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:12	GRANTED.
8	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:14	GRANTED.
9	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 82:22-23	GRANTED.
10	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 83:10	GRANTED.
11	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 83:19	GRANTED.
12	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 84:8	GRANTED.
13	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 84:15	GRANTED.
14	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 84:20	GRANTED.
15	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 85:8	GRANTED.
16	AAA Exhibit 1, Transcript of the Deposition of Michael Hetke	Highlighted text at 107:17	GRANTED.
17	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted text at 146:11–12	GRANTED.

1	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted name at 167:02	GRANTED.
2	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted name at 167:03	GRANTED.
3	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted name at 167: 12	GRANTED.
4	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted name at 167:17–18	GRANTED.
5	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted text at 199:15–18	GRANTED.
6	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted text at 270:01–02	GRANTED.
7	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted text at 270:04–05	GRANTED.
8	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted text at 270:07–08	GRANTED.
9	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted text at 270:13–15	GRANTED.
10	AAA Exhibit 8, Deposition of Rachel Bhattacharya	Highlighted text at 270:19–20	GRANTED.
11	AAA Exhibit 9, Transcript of the Deposition of Megan Stooke ¹	Highlighted financial information at 129:21	GRANTED.
12	AAA Exhibit 9, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 185:09	GRANTED.
13	AAA Exhibit 9, Transcript of the Deposition of Megan Stooke	Highlighted financial information at 185:18	GRANTED.
14	AAA Exhibit 10, Transcript of the Deposition of Julia Steyn	Highlighted financial information at 48:20	GRANTED.

¹ The parties do not request to seal AAA Exhibit 9, Transcript of the Deposition of Megan Stooke (“Stooke Transcript”) at 37:17–20, in their joint administrative motion to seal or their proposed order. *See* Mot. However, the parties redact the Stooke Transcript at 37:17–20 in the version the parties filed on the docket. *See* ECF No. 92-36. This appears to be an error. However, to the extent the parties are seeking to seal that portion of the Stooke Transcript, the Court DENIES the parties’ request. The Stooke Transcript at 37:17–20 describes GM and Lyft’s Express Drive program, which has already been made public by the parties.

1	AAA Exhibit 10, Transcript of the Deposition of Julia Steyn	Highlighted financial information at 49:04	GRANTED.
2	AAA Exhibit 10, Transcript of the Deposition of Julia Steyn	Highlighted financial information at 49:08–09	GRANTED.
3	AAA Exhibit 10, Transcript of the Deposition of Julia Steyn	Highlighted financial information at 49:12	GRANTED.
4	AAA Exhibit 10, Transcript of the Deposition of Julia Steyn	Highlighted financial information at 49:14	GRANTED.
5	AAA Exhibit 11, GM-produced document	Entire document	GRANTED.
6	AAA Exhibit 30, GM-produced document	Highlighted customer information at GM000061181	GRANTED.
7	AAA Exhibit 30, GM-produced document	Highlighted customer information at GM000061182	GRANTED.
8	AAA Exhibit 30, GM-produced document	Highlighted customer information at GM000061183	GRANTED.
9	AAA Exhibit 30, GM-produced document	Highlighted customer information at GM000061184	GRANTED.
10	AAA Exhibit 31, GM-produced document	Highlighted customer information at GM000008625	GRANTED.
11	AAA Exhibit 31, GM-produced document	Highlighted customer information at GM000008626	GRANTED.
12	AAA Exhibit 32, GM-produced document	Highlighted customer information GM000038797	GRANTED.
13	AAA Exhibit 34, GM-produced document	Highlighted customer information at GM000057516 (red box)	GRANTED.
14	AAA Exhibit 35, GM-produced document	Highlighted customer information at GM000008092	GRANTED.

1	AAA Exhibit 36, GM-produced document	Highlighted customer information at GM000008258	GRANTED.
2			
3	AAA Exhibit 37, GM-produced document	Highlighted customer information at GM000008291	GRANTED.
4			
5	AAA Exhibit 38, GM-produced document	Highlighted customer information at GM000008409	GRANTED.
6			
7	AAA Exhibit 39, GM-produced document	Highlighted customer information at GM000008411	GRANTED.
8			
9	AAA Exhibit 40, GM-produced document	Highlighted customer information at GM000008569	GRANTED.
10			
11	AAA Exhibit 40, GM-produced document	Highlighted customer information at GM000008570	GRANTED.
12			
13	AAA Exhibit 41, GM-produced document	Highlighted customer information at GM000008571	GRANTED.
14			
15	AAA Exhibit 41, GM-produced document	Highlighted customer information at GM000008572	GRANTED.
16			
17	AAA Exhibit 41, GM-produced document	Highlighted customer information at GM000008573	GRANTED.
18			
19	AAA Exhibit 42, GM-produced document	Highlighted customer information at GM000008987	GRANTED.
20			
21	AAA Exhibit 43, GM-produced document	Highlighted customer information at GM000018723	GRANTED.
22			
23	AAA Exhibit 43, GM-produced document	Highlighted customer information at GM000018724	GRANTED.
24			
25	AAA Exhibit 44, GM-produced document	Highlighted customer information at GM000019847	GRANTED.
26			
27			

1	AAA Exhibit 45, GM-produced document	Highlighted customer information at GM000019973	GRANTED.
2			
3	AAA Exhibit 45, GM-produced document	Highlighted customer information at GM000019974	GRANTED.
4			
5	AAA Exhibit 47, GM-produced document	Highlighted customer information at GM000057565	GRANTED.
6			
7	AAA Exhibit 48, GM-produced document	Highlighted customer information at GM000057654	GRANTED.
8			
9	AAA Exhibit 48, GM-produced document	Highlighted customer information at GM000057655	GRANTED.
10			
11	AAA Exhibit 48, GM-produced document	Highlighted customer information at GM000057657	GRANTED.
12			
13	AAA Exhibit 48, GM-produced document	Highlighted customer information at GM000057658	GRANTED.
14			
15	AAA Exhibit 48, GM-produced document	Highlighted customer information at GM000057659	GRANTED.
16			
17	AAA Exhibit 49, GM-produced document	Highlighted customer information at GM000057702	GRANTED.
18			
19	AAA Exhibit 49, GM-produced document	Highlighted customer information at GM000057703	GRANTED.
20			
21	AAA Exhibit 50, GM-produced document	Highlighted customer information at GM000057717	GRANTED.
22			
23	AAA Exhibit 51, GM-produced document	Highlighted customer information at GM000057737	GRANTED.
24			
25	AAA Exhibit 52, GM-produced document	Highlighted customer information at GM000057773	GRANTED.
26			
27			

AAA Exhibit 53, GM-produced document	Highlighted customer information at GM000057803	GRANTED.
AAA Exhibit 54, GM-produced document	Highlighted customer information at GM000057815	GRANTED.
AAA Exhibit 55, GM-produced document	Highlighted customer information at GM000061177	GRANTED.
AAA Exhibit 56, GM-produced document	Highlighted customer information at GM000061186	GRANTED.
AAA Exhibit 65, GM-produced document	Highlighted text at GM000026293 (fourth and fifth full sentences in email dated 4/18/2017 at 7:42:25 PM)	GRANTED.
AAA Exhibit 75, GM-produced document	Entire document	GRANTED.
AAA Exhibit 78, GM-produced document	Entire document	GRANTED.
GM's Reply	Highlighted financial information at 1:12	GRANTED.
GM's Reply	Highlighted financial information at 14:28	GRANTED.
GM's Reply	Highlighted financial information at 15:10	GRANTED.

IT IS SO ORDERED.

Dated: March 14, 2019


LUCY H. KOH
United States District Judge